

VZCZCXRO2474
PP RUEHDE RUEHDH RUEHDIR
DE RUEHKU #0101 0350911
ZNR UUUUU ZZH
P 040911Z FEB 09
FM AMEMBASSY KUWAIT
TO RUEHC/SECSTATE WASHDC PRIORITY 2762
INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

UNCLAS KUWAIT 000101

SIPDIS

NEA/ARP,

E.O. 12958: N/A

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SUBJECT: KUWAITI BILL OFFERS HOPE TO PRIVATE SECTOR FOREIGN
LABOR

Parliament Approves Draft of Labor Bill

1. (U) In a rare show of parliamentary progress and a possible first step to updating the 1964 labor law, on January 29, Kuwait's National Assembly voted 43-0 to approve the first draft of a labor bill for foreign workers in the private sector. On February 10-11, the National Assembly will take a second and final vote on the bill. Provisions of the bill call for increasing foreign workers' annual leave from fourteen days to thirty and increasing the amount of time required for notices of termination from one month to three. In the interim, MPs and cabinet members may introduce amendments to the bill.

(Note: This draft approval follows August legislation that set monthly minimum wages at KD 40 (USD 150) for foreign private sector workers of state-contracted cleaning companies and KD 70 (USD 263) for foreign private sector workers of state-contracted security guard companies. End Note.) This bill does not apply to Kuwait's many domestic laborers, who are among the most exploited of imported labor groups.

Public Reaction: Cynicism

2. (U) According to press reports, employees -- who view Kuwaiti contracts as distinctly favorable to the employer -- welcomed the draft bill, but were cynical that it would result in positive changes for the workers in Kuwait. These employees cited their lack of faith that new laws in their favor would be enforced and voiced their doubts that the draft would survive a parliamentary debate. Kuwait Trade Union Federation (KTUF) chairman Khalid Al-Azmi, according to daily Al-Qabas, said that the bill is a step in the right direction but needed more protection for workers who bargain collectively or strike.

Work in Progress

3. (SBU) Quick to criticize perceived shortcomings in the bill, MPs Mohammed Al-Mutairi (Salafi) and Adnan Abdulsamad (Shi'a Islamist) reportedly complained that the bill needed greater penalties against employers who arbitrarily fire their workers, a mechanism to correct the flawed sponsorship system by which laborers are brought into the country, and a higher minimum wage. Echoing this, Filipino Embassy Labor Attache Josephus Jimenez told poloff February 3 that the bill was "a good start" but fails to address the often maligned sponsorship system, which he described as "the original sin" and the root cause of a majority of the woes faced by foreign workers.

Comment:

4. (SBU) Though there was initial optimism that the vote on the draft evoked a consensus among MPs, it now appears certain that the bill will be returned to committee for further negotiations, debate, amendments, and delays.

Nevertheless, many labor observers believe that the bill stands a good chance of being approved by parliament over the next few months and that the final product will enhance the status of foreign workers in Kuwait's private sector. End comment.

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